

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

JOYCE CHAFFIN, Plaintiff	§ § § § § § § §	CIVIL ACTION
vs.		No. _____
COMMERCIAL RECOVERY SYSTEMS, INC., Defendant		JURY

PLAINTIFF'S ORIGINAL COMPLAINT

TO THE HONORABLE JUDGE OF SAID COURT:

NOW INTO COURT, through undersigned counsel, comes Plaintiff, Joyce Chaffin, a resident of Texarkana, Bowie County, Texas, who files this Original Complaint against Defendant Commercial Recovery Systems, Inc. and for causes of action, respectfully represents the following, to wit:

I.

This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices. Plaintiff seeks to recover monetary damages for Defendant's violation of the FDCPA, and to have an Order or injunction issued by this Court preventing Defendant from continuing its behavior

in violation of the FDCPA. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d) and venue is proper before this Court as Plaintiff and/or Defendant reside in this District and/or the complained of actions occurred in this District.

II.

Plaintiff, Joyce Chaffin, is a natural person residing in Texarkana, Bowie County, Texas.

Defendant, Commercial Recovery Systems, Inc., is a foreign corporation engaged in the business of collecting debts by use of the mails and telephone, and Defendant regularly attempts to collect debts alleged to be due another. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6).

III.

At various and multiple times prior to the filing of the instant complaint, including within the one hundred and fifty days preceding the filing of this Complaint, Defendant contacted Plaintiff in an attempt to collect an alleged outstanding debt. Defendant’s conduct violated the FDCPA in multiple ways, including but not limited to:

- a) Repeatedly causing Plaintiff's telephone to ring and engaging Plaintiff and members of Plaintiff's family in telephone conversations repeatedly and continuously with intent to annoy, abuse, or harass thereby violating §1692(d)(5);
- b) Communicating with Plaintiff at places known to be inconvenient to my Plaintiff, including her place of employment despite being repeatedly told to stop, thereby violating §1692(c)(3);
- c) Communicating information about this alleged debt to third parties, thereby violating §1692(b); and,
- d) Failing to validate the debt at the time of initial contact and/or in writing within five days thereafter §1692g(a).

IV.

As a result of the above violations of the FDCPA, Plaintiff suffered and continues to suffer personal humiliation, embarrassment, mental anguish and emotional distress, and Defendant is liable to Plaintiff for Plaintiff's actual damages, statutory damages, and costs and attorney's fees.

V.

Plaintiff hereby demands a trial by jury.

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays that a declaratory judgment be entered that Defendants' conduct violated the FDCPA; that Plaintiff be awarded actual damages; that Plaintiff be awarded statutory damages pursuant to 15 U.S.C. § 1692k; that Plaintiff be awarded costs and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k; and, for such other and further relief as may be just and proper.

Respectfully submitted,
Weisberg & Meyers, L.L.C.

By: /s/ Susan Landgraf

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